

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X

In re:

ROSEMARY IDA MERGENTHALER

Debtor

-----X

Chapter 7
CASE NO: 15-72040
AFFIRMATION

ALAN C. STEIN, ESQ. affirms the following:

1) That I am the attorney for the debtors and as such am familiar with the facts
and circumstances heretofore had herein.

2) That annexed hereto are the amended Schedules B, C, D, F, I, and J.

3) The following Creditors were added:

Cypress Financial
Selip & Stylianou LLP
199 Crossways Park Drive
Dumont, NJ 07628

R. Sokoloff
Southampton Radiology
28 Lincoln Street
Riverhead, NY 11901

Dated: Plainview, New York
July 17, 2015

/s/ Alan C. Stein

ALAN C. STEIN, ESQ (AS2186)
LAW OFFICE OF ALAN C. STEIN, P.C.
479 SOUTH OYSTER BAY ROAD
PLAINVIEW, NY 11803
516-932-1800

*Amended*In re Rosemary Ida MergenthalerCase No. 15-72040

Debtor

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand		Cash	-	200.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X			
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Household Goods	-	1,000.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Pictures & Other Art	-	250.00
6. Wearing apparel.		Wearing Apparel	-	750.00
7. Furs and jewelry.		Furs & Jewelry	-	500.00
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			

Sub-Total > 2,700.00
(Total of this page)

2 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re Rosemary Ida Mergenthaler

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.	X			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts receivable.	X			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Legal Malpractice Case Against Austin Manghan, Esq.	-	Unknown

Sub-Total > 0.00
(Total of this page)

Sheet 1 of 2 continuation sheets attached
to the Schedule of Personal Property

In re Rosemary Ida Mergenthaler

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2005 Jeep Wrangler, 149,000 miles	-	2,500.00
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.	X			
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			

Sub-Total >	2,500.00
(Total of this page)	
Total >	5,200.00

(Report also on Summary of Schedules)

Sheet 2 of 2 continuation sheets attached
to the Schedule of Personal Property

*Amended*In re Rosemary Ida Mergenthaler

Case No. _____

Debtor

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. §522(b)(2)☒ 11 U.S.C. §522(b)(3)☐ Check if debtor claims a homestead exemption that exceeds \$155,675. (Amount subject to adjustment on 4/1/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
* Real Property 3 Wood Edge Court Water Mill, NY 11976	NYCPLR § 5206	150,000.00	1,687,500.00
Household Goods and Furnishings Household Goods	NYCPLR § 5205(a)(5)	1,000.00	1,000.00
Books, Pictures and Other Art Objects; Collectibles Books, Pictures & Other Art	NYCPLR § 5205(a)(2)	250.00	250.00
Wearing Apparel Wearing Apparel	NYCPLR § 5205(a)(5)	750.00	750.00
Furs and Jewelry Furs & Jewelry	NYCPLR § 5205(a)(6)	500.00	500.00
Automobiles, Trucks, Trailers, and Other Vehicles 2005 Jeep Wrangler, 149,000 miles	NYCPLR § 5205(a)(8)	2,500.00	2,500.00

* STATE COURT HAS DETERMINED THAT THERE IS NO HOMESTEAD EXEMPTION, HOWEVER THIS IS DISPUTED AND THE SUBJECT OF LITIGATION.

Total: 155,000.00 1,692,500.00

0 continuation sheets attached to Schedule of Property Claimed as Exempt

In re **Rosemary Ida Mergenthaler**Case No. Amended

Debtor

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H U S B A N D W I F E J O I N T C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.			2008 Mortgage					
D. Perla Associates			Mortgage					
C/O Webber Law			3 Wood Edge Court					
290 Broadhollow Road			Water Mill, NY 11976					
			Value \$ 1,687,500.00				450,000.00	0.00
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Subtotal (Total of this page)							450,000.00	0.00
Total (Report on Summary of Schedules)							450,000.00	0.00

0 continuation sheets attached

B6F (Official Form 6F) (12/07)

In re **Rosemary Ida Mergenthaler**Case No. Amended

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R H W J C	Husband, Wife, Joint, or Community	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. Advance Propane Inc. North Highway Southampton, NY 11968	-		2012 Charges				1,350.00
Account No. Bank of NY Mellon Knunckles, Komosinski 565 Taxer Rd # 590 Elmsford, NY 10523	-					X	1,500,000.00
Account No. Index # 14-64802 Cypress Financial Selip & Stylianou LLP 199 Crossways Park Drive Dumont, NJ 07628	-		6/11/2015 Judgment				1,450.34
Account No. Index # 11-29626 Dean Oskeavage C/O Mellisa Levine, Gold Benes 1854 Bellmore Ave	-		Action to collect against Husband for back alimony subject to litigation			X	1,560,000.00
Subtotal (Total of this page)							3,062,800.34

4 continuation sheets attached

B6F (Official Form 6F) (12/07) - Cont.

In re Rosemary Ida Mergenthaler

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B I T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.		2014-2015 Landscaping Bill				
Evergreen Tree & Land PO Box 2575 Southampton, NY 11969	W					3,300.00
Account No.		Index # 10-29491				
Ford Motor Credit C/O Rubin & Rothman 1787 Veterans Highway Islandia, NY 11749	W					14,487.00
Account No.		2013 chgs				
Hardy Plumbing 1654 County Road 39 Southampton, NY 11968	W					750.00
Account No.		2013				
Island Propane PO Box 1531 Ronkonkoma, NY 11779	W					850.00
Account No.		2007 chgs				
LVNV Funding C/O Mel Harris Associates 5 Hanover Square 8th Floor New York, NY 10004	W					10,000.00
Subtotal (Total of this page)						29,387.00

Sheet no. 1 of 4 sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

B6F (Official Form 6F) (12/07) - Cont.

In re Rosemary Ida Mergenthaler

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.		2013 Charges				
NY Dermatology 223 West Montauk Highway Hampton Bays, NY 11946	W					275.00
Account No.		2014-2015 Electricity Bill				
PSE&G Long Island PO Box 888 Hicksville, NY 11802	W					4,000.00
Account No.		2010 Lawn Care				
R & J Lawn Care PO Box 1731 East Hampton, NY 11937	W					16,100.00
Account No. 9JLK		11/19/11 chgs				
R. Sokoloff Southampton Radiology 28 Lincoln Street Riverhead, NY 11901	-					676.00
Account No. 0994		11/19/2011 Charges Index # 13-110407				
R. Sokoloff MED1 24/7 Emergency Care PC Riverhead, NY 11901	W					666.00
Sheet no. <u>2</u> of <u>4</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						21,717.00

B6F (Official Form 6F) (12/07) - Cont.

In re Rosemary Ida Mergenthaler

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B I T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. 0995	W	11/19/2011 Charges Index # 13-110407					657.00
R. Sokoloff MED1 24/7 Emergency Care PC Riverhead, NY 11901							
Account No. 5558	W	11/19/2011 Charges					375.00
R. Sokoloff MED1 Long Island Bone Joint LLP Riverhead, NY 11901							
Account No. 8403	W	11/19/2011 Charges					350.00
R. Sokoloff Southampton Radiology 28 Lincoln Street Riverhead, NY 11901							
Account No. 6608	W	11/19/2011 Charges					275.00
R. Sokoloff Southampton Radiology 28 Lincoln Street Riverhead, NY 11901							
Account No.	W	2004 Loan Judgment					1,600,000.00
Ruediger Albrecht 3 Cords Street Hamburg, Germany							
Sheet no. 3 of 4 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							1,601,657.00
Subtotal (Total of this page)							1,601,657.00

B6F (Official Form 6F) (12/07) - Cont.

In re Rosemary Ida Mergenthaler

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B I T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.		2010				
Savatree 600 Bedford Road Bedford Hills, NY 11507	W					4,500.00
Account No.		2014-2015 Water Bill				
SCWA 2045 Route 25a Coram, NY 11727	W					1,350.00
Account No.		Medical Bill				
Southampton Hospital PO Box 139 Laurel, NY 11948	W					12,000.00
Account No.		2013				
Weber & Grahn 216 East Montauk Highway Hampton Bays, NY 11946	W					600.00
Account No.						

Sheet no. 4 of 4 sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority ClaimsSubtotal
(Total of this page)**18,450.00**Total
(Report on Summary of Schedules)**4,734,011.34**